

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA

PROPOSED ORDER

- against -

24-CR-423 (NJC)

MICHAEL S. JEFFRIES,

Defendant.

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WHEREAS, on December 10, 2024, pursuant to 18 U.S.C § 4241(a), this Court issued a Competency Order directing that a hearing be held to determine the defendant Michael Jeffries' (the "defendant" or "Jeffries") mental competency, and that, pursuant to 18 U.S.C. §§ 4241(b) and 4247(b)-(c), prior to the hearing, Dr. Alexander S. Bardey and Dr. Cheryl Paradis shall each conduct a psychiatric or psychological examination of Jeffries for the purpose of determining whether he presently suffers from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

WHEREAS, in an evaluation report dated February 5, 2025, the defendant's expert Dr. Alexander S. Bardey determined that the defendant was not presently competent to proceed.

WHEREAS, in an evaluation report dated March 18, 2025, the government's expert Dr. Cheryl Paradis, also determined that the defendant was not presently competent to proceed.

Upon the application of the defendant Michael Jeffries, and with the government's consent, it is HEREBY:

ORDERED that the Court finds by a preponderance of the evidence that the defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. See 18 U.S.C § 4241(d).

IT IS FURTHER ORDERED that, pursuant to 18 U.S.C § 4241(d), the defendant shall be committed to the custody of the Attorney General for a period not to exceed four (4) months to determine whether his competency may be restored. The Attorney General shall hospitalize the defendant for treatment in a suitable facility—

(1) for such a reasonable period of time, not to exceed four (4) months, as is necessary to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the proceedings to go forward; and

(2) for an additional reasonable period of time until—

(A) his mental condition is so improved that trial may proceed, if the court finds that there is a substantial probability that within such additional period of time he will attain the capacity to permit the proceedings to go forward; or (B) the pending charges against him are disposed of according to law; whichever is earlier.

If, at the end of the time period specified, it is determined that the defendant's mental condition has not so improved as to permit the proceedings to go forward, the defendant is subject to the provisions of sections 4246 and 4248.

IT IS FURTHER ORDERED, that the Bureau of Prisons shall promptly determine a suitable facility for the defendant Michael Jeffries to be evaluated by a forensic psychologist or psychiatrist in an effort to restore his competency to proceed. The defendant

shall surrender to the facility designated by the Bureau of Prisons on the date specified by the Bureau of Prisons.

IT IS FURTHER ORDERED that during the four-month period of the defendant's custodial hospitalization, the parties shall be permitted to seek periodic reports from the Attorney General regarding the status of the defendant's condition and likelihood to regain competency. Upon receipt of such a request, the Attorney General shall file a status report with the Court, under seal, regarding the status of the defendant's condition and likelihood to regain competency, and provide copies of same to the parties.

IT IS FURTHER ORDERED that, if, at any point prior to the conclusion of the defendant's four-month custodial hospitalization, the Bureau of Prisons determines there is not a substantial probability that in the foreseeable future the defendant will attain the capacity to permit the proceedings to go forward, and the necessary risk assessments under 18 U.S.C. §§ 4246 and 4248 have been completed, the defendant shall be released from the custody of the Attorney General forthwith to home confinement with the same standard and special conditions of pretrial release he is currently subject to, pending further proceedings by this Court.

Dated: Central Islip, New York  
\_\_\_\_\_, 2025

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HONORABLE NUSRAT J. CHOUDHURY  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF NEW YORK